

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35602 of 2025

Arising Out of PS. Case No.-102 Year-2021 Thana- MADHUBAN District- East Champaran

1. Muneshwar Yadav @ Muneshwar Ray @ Lalan Yadav S/o Roop Lal Ray @ Roop Lal Yadav R/o Village- Jogauliya, Tola- Kharsal, P.S.- Madhuban, District- East Champaran
2. Munna Kumar @ Munnu Kumar S/o Muneshwar Yadav @ Muneshwar Ray @ Lalan Yadav R/o Village- Jogauliya, Tola- Kharsal, P.S.- Madhuban, District- East Champaran Presently residing at Vill.- Jitaura, Chaita, P.S.- Madhuban, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kant Mani Tripathi, Advocate
For the State : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2025 Heard Mr. Binay Kant Mani Tripathi, learned counsel
for the petitioners and Mr. Anil Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Madhuban P.S. Case No. 102 of 2021, F.I.R. dated 28.04.2021 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 447, 504 and 506/34 of the Indian Penal Code.

3. Allegation against the petitioner no. 1 is that he has assaulted on back side of head of the informant's husband due to which he sustained head injury and petitioner no. 2 had taken away Rs. 23,000/- from the shop of the informant's husband.

4. Learned counsel for the petitioners submits that the



petitioner no. 2 having clean antecedent and petitioner no. 1 carries three more cases other than the present one and they have been falsely implicated in the present case. The present case is counter blast of Madhuban P.S. Case No. 101 of 2021 filed by the petitioners' side against the informant and his family members. It appears from the F.I.R. that although there is specific allegation against the petitioners that they have assaulted to the husband of the informant and the husband of the informant has received injury but the injury report of the injured person suggests that the injury is simple in nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case that there is case and counter case between the parties and the injury inflicted upon the injured person is simple in nature, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Motihari, East Champaran in connection with Madhuban P.S. Case No. 102 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of



BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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